

### **Remarks/Arguments**

The present amendment is made in response to the non-final Office Action dated March 21, 2006, and identified as Paper No. 20051216.

In the Action, the Examiner rejected claims 1-12 and 21-26 under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 4,834,334 to Robbins ("*Robins*"). Claims 4 and 13-20 were rejected under 35 U.S.C. § 103(a) as obvious over *Robins* in view of U.S. Patent No. 6,523,858 to Takemura ("*Takemura*").

The Examiner identified that *Robins* disclosed the following elements: (a) a body encased by a trim; (b) a base station with support members; (c) a board panel; (d) a locking bolt disposed on the sides of the panel. The claims of the pending application require many more limitations that were not addressed by the Examiner and, more importantly, which are not found in the cited references. In fact, the device disclosed in *Robins* is significantly different structurally that the claimed invention as it is a pivoting easel and frame, whereas the present invention is a vertically supported board system.

More specifically, claim 1 requires a board panel comprised of a body encased by a trim. *Robins* instead discloses a trim-less panel.

Claim 1 also expressly calls for a "locking mechanism disposed on the trim and configured to attach to another board panel." The device disclosed in *Robins* is designed to support only a single easel, and utterly lacks the claimed locking mechanism.

Although the Examiner pointed out with regard to claim 2 that a magnet is an obvious locking mechanism (which Applicant disputes), *Robins* fails to disclose any such locking mechanism. Accordingly, even if the Examiner is correct that a magnet is an obvious

locking mechanism, *Robins* fails to disclose any means for interlocking adjacent board panels that could potentially be a magnet.

Claim 1 also recites a base station comprising (i) a first cross member coupled to (ii) a first support member and (iii) a second support member, and (iv) a second cross member coupled to said first support member and said second support member, (vii) said second cross member having at least one arm, (viii) said second cross member rotatably attaches to said first support member and said second support member. As seen in Fig. 5, the number and arrangement of the elements of the claimed base station is entirely different than the support shown in *Robins*. Most noticeably, *Robins* is simply a square platform to which an upright pivoting easel and its frame are attached. *Robins* thus lacks both the (i) a first cross member and (iv) second cross member which support the claimed board panel in an upright position, via their connection to the first and second support members. See Fig. 5 (elements 42 and 42) and Paragraph [0025] describing an vertical base formed from the claimed first and second cross members and first and second support members. *Robins* fails to disclose any of the claimed structure.

With regard to claim 2, the locking mechanism identified by the Examiner in *Robins* attaches the easel to the support base. The locking mechanism of the present invention attaches the board panel to an adjacent board panel – not the base. Thus, even if it were obvious to use a magnet in *Robins* to attach the easel to the base, that combination still would not disclose the claimed invention. Notably, one of skill would likely not use a magnet as suggested by the Examiner for the locking mechanism at the intersection of the easel and base of *Robins* because a magnet could not possible support the weight of the easel, and would certainly not provide for pivoting as shown in Fig. 1 of

*Robins*. Thus, even if the locking mechanism of *Robins* were the same locking mechanism of the present invention, one of ordinary skill in the art would not be motivated to make the combination proposed by the Examiner.

With regard to claim 3, *Robins* does not disclose a lacking mechanism for attaching to an adjacent board panel. *Robins* is a pivoting easel, and Figure 1 simply shows how the easel may pivot.

With regard to claims 4-5 and 23, *Robins* does not disclose the claimed fins for attaching material to the claimed board panel. The Examiner is not free to simply state that every element of the claimed invention that differs from the prior art is “well known” and obvious, as the burden is squarely on the U.S. Patent Office to produce *evidence* of unpatentability. In any event, *Robins* does not disclose any fixed structure for attaching items to its board panel, so even if fins are well known there is no motivation use them in combination with *Robins*.

With regard to claim 8, the spring-loaded release button release the pivoting cross bottom member and has nothing to do with pivoting of the board panel as in *Robins*. Accordingly, it is not clear how one of ordinary skill would replace the pivoting bolts of *Robins* with a push button release to achieve the pivoting bottom cross-member of the present invention, particular since *Robins* does not even include the claimed bottom (second) cross-member in the first place.

With regard to the rejection of claims 13-14, *Takemura* discloses the use of fins attached to the inside covers of a presentation display system. Neither *Takemura* nor *Robins* discloses the attachment of fins to the interior edge of a board frame that encases a body. Indeed, *Robins* does not disclose the claimed trim that encases the body as it

instead discloses a body attached over the surrounding frame. Accordingly, even if one of ordinary skill in the art were motivated to make the proposed combination, the resulting device would lack an express limitation of the claimed invention.

With regard to claim 16 as presently amended, the locking mechanism of the present invention is for attaching to an adjacent board panel, not the base as disclosed in *Robins*.

With regard to claim 21, *Robins* fails to disclose the claimed structure of (i) a first cross member coupled to (ii) a first support member and (iii) a second support member; and (iv) a second cross member coupled to said first support member and said second support member, (v) said second cross member having at least one arm; wherein (vi) said second cross member rotatably attaches to said first support member and said second support member. As explained with regard to claim 1, *Robins* is simply a square base to which the board and its frame are pivotally attached. By contrast, the device recited in claim 21 is a base station that has many additional elements and is configured in an entirely difference manner that the base of *Robins*.

With regard to the remaining claim not discussed above, they depend from allowable claims and are therefore also allowable.

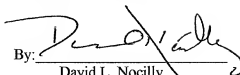
Applicant grants authorization to charge any fees in regard to this response to Deposit Account No. 50-1546.

In view of the foregoing, the Examiner's reconsideration and allowance of the claims of the present application is believed to be in order. If the Examiner believes a phone conference with Applicant's attorney would expedite prosecution of this application, please contact the undersigned at (315) 218-8530.

Reply to Non-Final Office Action dated March 21, 2006  
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Respectfully submitted,

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